

REMARKS

In the Office Action dated March 19, 2004, claims 1-4 and 6-24 were rejected under 35 U.S.C. §102(e) as being anticipated by Silverbrook. This rejection respectfully traversed for the following reasons. Each of independent claims 1, 7 and 23 includes at least three features that are nowhere disclosed in the Silverbrook publication. First, each of those claims requires that a detection (in method claim 1) or a detector (in apparatus claims 7 and 23) be present that detects an operation to replace a tangible consumable product. No such detection step or detector device is disclosed or suggested anywhere in the Silverbrook publication. The Silverbrook publication is not concerned with an automated method, device or system for replacing a consumable printing product. It is only concerned with inventory control and assisting a customer who is seeking to replace a consumable printing component. When this occurs, the user simply notices that replacement of the consumable is necessary, but there is no detection disclosed or suggested anywhere in the Silverbrook reference of an operation to replace the consumable.

This is understandable in the context of the Silverbrook reference, because the Silverbrook reference lacks a second basic feature of each of the aforementioned independent claims, namely the establishment of a communication link between the device in which the consumable is going to be replaced, and a data center remote from the device. The Examiner cited paragraph 2074 at page 95 of the Silverbrook reference as providing such a teaching, however, there is no language at that location even remotely resembling a description of a data center. The Examiner in the text in paragraph 5 of the Office Action referred to a data center, but there is no mention of such a data center in the Silverbrook reference. This is

why it is unimportant in the Silverbrook reference to detect an operation to replace a consumable. In the subject matter disclosed and claimed in the present application, the detection of an operation to replace a consumable is the starting point for the entire sequence of events that leads to checking and authentication of the proposed replacement consumable. As noted above, this procedure ensues by the establishment of a data link between the printing device and a remote data center. Again, because the Silverbrook reference is primarily concerned with inventory control, there is no teaching therein, because there is no need therein, to detect an operation to replace a consumable, nor to establish a communication link between the printing device and a remote data center.

Because there is no communication established from the printing device to the data center in the Silverbrook reference, there similarly is no establishment of a reverse communication link back from the data center to the printing device, so as to inform the printing device that the proposed replacement consumable has been authenticated by the code word comparison. The Silverbrook reference is concerned with maintaining the authenticity of replacement printing consumables in an inventory, but does not recognize or even deal with the problem of how to preclude replacement of an unauthorized consumable in the printing device. Because there is no communication between the printing device and the location of the inventory disclosed in the Silverbrook reference, there is no way for any type of preventative measures to be undertaken. Although the Silverbrook reference is concerned with tracking and counting replacement consumables, it is not at all concerned with *preventing* an unauthorized consumable from actually being placed into a printing device. The Silverbrook reference discloses a number of measures to

try to counteract, or minimize the possibility of, counterfeiting or piracy of the replacement consumables, however, this is all attempted to be accomplished in the Silverbrook reference by inventory control, rather than by any communication between a data center and a printing device.

The Silverbrook reference, therefore, does not disclose all of the elements of independent claims 1, 7 and 23 as arranged and operating in those claims, and therefore does not anticipate any of those claims. The respective dependent claims depending from those independent claims add further method steps or further structure to the novel method or novel apparatus of those independent claims, and therefore the dependent claims are patentable over the teachings of the Silverbrook reference for the same reasons discussed above in connection with the independent claims.

Claim 1 has been amended to correct a typographical error therein, as well as to provide proper antecedent basis for the code word that is embodied in the identification number of the proposed tangible replacement consumable product.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,


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